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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/723,024

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Jonathan D. Bassett

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EXAMINER

LEVI, DAMEON E

ART UNIT

PAPER NUMBER

2841

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary

Application No.

10/723,024

Applicant(s)

BASSETT ET AL.

Examiner

Dameon E Levi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-36 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,2,4,6-12,14-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Downs US Patent 6220887.

Regarding claim 1, Downs discloses an assembly comprising:

a tool-free, chassis mountable arm (for example, see element 26, Figs 1-4) comprising a support end (for example, see element 30, Figs 1-4) and a card- configurable mount (for example, see element 32, Figs 1-4) to orient the support end over an expansion card within a chassis, wherein the chassis mountable arm is adapted to bias the expansion card. Moreover, it has been held that the recitation that an element is “adapted to” perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. In re Hutchison 69 USPQ 138. The intended and future use recitation of “to orient the support end over an expansion card within a chassis” has not been accorded patentable weight by the Office.

Regarding claim 2, Downs discloses wherein the tool-free, chassis mountable arm comprises a mounting base and a rotatable finger (for example, see elements 7, 26, Figs 1-4).

Regarding claim 4, Downs discloses wherein the mounting base comprises at least one finger mounting receptacle(for example, see elements 7, 22, Figs 1-4).

Regarding claim 6, Downs discloses wherein the tool-free, chassis mountable arm comprises a spring adapted to bias the support end against the expansion card(for example, see elements 26, Figs 1-4). Moreover, it has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense, and therefore, has not been accorded patentable weight by the Office. In re Hutchison 69 USPQ 138.

Regarding claim 7, Downs discloses wherein the tool-free chassis mountable arm is rotatable to move the support end to a plurality of positions to accommodate different card dimensions(for example, see elements 26, Figs 1-4, see column 2, line 45 – column 4, line 25).

Regarding claim 8, Downs discloses wherein the support end comprises a lateral retention mechanism(for example, see element 32, Figs 1-4).

Regarding claim 9, Downs discloses wherein the lateral retention mechanism comprises a frictional material (for example, see element 32, Figs 1-4).

Regarding claim 10, Downs discloses wherein the lateral retention mechanism comprises a multi-leveled surface(for example, see element 32, Figs 1-4).

Regarding claim 11, Downs discloses an assembly comprising:

a chassis(for example, see element 70, Figs 1-4),

a plurality of card slots(for example, see element 72, Figs 1-4),;

and a card support mechanism comprising:

a tool-free chassis mount (for example, see element 7, Figs 1-4), coupled to the chassis adjacent the plurality of card slots; a plurality of tool-free arm mounts (for example, see element 12, Figs 1-4),; and at least one rotatable arm(for example, see element 26, Figs 1-4), mounted to a desired one of the plurality of tool-free arm mounts, wherein the rotatable arm comprises a card engagement end (for example, see element 32, Figs 1-4), positioned over a desired one of the plurality of card slots.

Regarding claim 12, Downs discloses an electronics card(for example, see element 34, 32 Figs 1-4), disposed in the card slot, wherein the card engagement end is biased against the electronics card.

Regarding claim 14, Downs discloses wherein the card support mechanism comprises at least one other rotatable arm mounted to another desired one of the plurality of tool-free arm mounts and having another card engagement end positionable over another desired one of the plurality of card slots(for example, see elements 26, 34,Figs 1-4).

Regarding claim 15, Downs discloses wherein the lateral retention mechanism comprises a frictional material (for example, see element 32, Figs 1-4).

Regarding claim 16, Downs discloses wherein the substantially frictional material comprises a rubber pad(for example, see element 32, Figs 1-4).

Regarding claim 17, Downs discloses wherein the card engagement end comprises at least one groove adapted to engage a peripheral edge of an electronics card mountable in the desired one of the plurality of card slots(for example, see element 36, Figs 1-4).

Moreover, it has been held that the recitation that an element is "adapted to" perform a

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function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense, and therefore, has not been accorded patentable weight by the Office. In re Hutchison 69 USPQ 138.

Regarding claim 18, Downs discloses a support comprising:

means for configurably biasing a card into a card slot(for example, see elements 26, Figs 1-4);

means for laterally supporting a peripheral portion of the card(for example, see elements 36 ,Figs 1-4).

Regarding claim 19, Downs discloses means for tool-free chassis mounting the means for configurably biasing and the means for laterally supporting(for example, see elements 26, Figs 1-4).

Regarding claim 20, Downs discloses wherein the means for configurably biasing comprise means for rotatably contacting the peripheral portion(for example, see elements 26, Figs 1-4).

Regarding claim 21, Downs discloses wherein the means for biasing comprise means for engaging an intermediate edge of the peripheral portion(for example, see elements 26, Figs 1-4).

Regarding claim 22, Downs discloses system, comprising:

a card support mechanism(for example, see element 26,34, Figs 1-4) configurable for at least one electronics card, comprising:

a chassis with at least one tool-free mounting mechanism, (for example, see elements 70, 7 Figs 1-4) and

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an arm rotatably coupled to the chassis(for example, see element 26, Figs 1-4), wherein the arm comprises a card retention end(for example, see element 32, Figs 1-4) springably engageable against a peripheral portion of the at least one electronics card.

Regarding claim 23, Downs discloses wherein the arm is removeable from the chassis(for example, see element 30, 26, 44 Figs 1-4)

Regarding claim 24, Downs discloses wherein the arm is rotatable to engage and secure the at least one electronics card to the card support mechanism(for example, see element 26, Figs 1-4).

Regarding claim 25, Downs discloses wherein the arm comprises an elongated configuration with one end rotatably coupled to the chassis(for example, see element 26, Figs 1-4).

Regarding claim 26, Downs discloses wherein the chassis comprises a desktop computer(for example, see element 70, Figs 1-4).

Regarding claim 27, Downs discloses wherein the chassis comprises a server(for example, see element 70, Figs 1-4).

Regarding claim 28, Downs discloses a system comprising:

a card support mechanism(for example, see element 26,34, Figs 1-4), comprising:
a chassis mountable structure (for example, see element 7 Figs 1-4) adapted for tool-free, cantilevered chassis mounting to a chassis; and
a springy arm(for example, see element 26 Figs 1-4) rotatably coupled to the chassis mountable structure and engageable against an electronics card (for example, see element 34, Figs 1-4) disposed in the chassis. Moreover, it has been held that the

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recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense, and therefore, has not been accorded patentable weight by the Office. In re Hutchison 69 USPQ 138.

Regarding claim 29, Downs discloses wherein the spring arm comprises an engagement end having at least one groove(for example, see element 26, 36 Figs 1-4) adapted to engage an outer edge of the electronics card. Moreover, it has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense, and therefore, has not been accorded patentable weight by the Office. In re Hutchison 69 USPQ 138.

Regarding claim 30, Downs discloses wherein the card support mechanism is adapted to provide lateral support to the expansion card(for example, see Figs 1-4). Moreover, it has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense, and therefore, has not been accorded patentable weight by the Office. In re Hutchison 69 USPQ 138.

Regarding claim 31, Downs discloses a system comprising:

a chassis comprising a first side and a second side adjacent the first side; (for example, see element 70, Figs 1-4)

a board mounted to the first side and having a card slot(for example, see element 72 Figs 1-4)

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an expansion card mounted to the card slot; (for example, see element 34 Figs 1-4) and a card support arm (for example, see element 26 Figs 1-4) rotatably coupled to the second side and engaged against a portion of the expansion card opposite from the board (for example, see element 26, 34 Figs 1-4).

Regarding claim 32, Downs discloses wherein the card support arm comprises at least one tool-free mount (for example, see element 7 Figs 1-4) removably coupled to the second side.

Regarding claim 33, Downs discloses wherein the card support arm is cantilevered to the second side (for example, see element 30 Figs 1-4).

Regarding claim 34, Downs discloses wherein the card support arm is disposed in one of a plurality of receptacles (for example, see element 22 Figs 1-4) in a mounting base.

Regarding claim 35, Downs discloses wherein the plurality of receptacles each comprise a tool-free mounting mechanism (for example, see element 56 Figs 1-4) for a plurality of card support.

Regarding claim 36, Downs discloses wherein the card support arm comprises a spring (for example, see element 60 Figs 1-4) biasing the card support arm toward the expansion card.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downs US Patent 6220887 in view of Megason et al US Patent 6618264.

Regarding claim 3, Downs discloses the instant claimed invention except wherein the mounting base comprises a chassis mounting latch.

Megason et al discloses an assembly wherein a mounting base comprises a chassis mounting latch(for example, see elements 52, Figs 1-12).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have attached a chassis mounting latch as taught by Megason et al in the assembly as taught by Downs for the purpose of attaching the assembly to the housing wall of an electronics assembly enclosure(see Megason Figs 1-12).

Regarding claim 13, Downs discloses the instant claimed invention except , wherein the tool-free chassis mount comprises a snap-fit mount coupled to a mating snap-fit mount disposed on the chassis.


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Megason et al discloses an assembly , wherein a tool-free chassis mount comprises a snap-fit mount coupled to a mating snap-fit mount disposed on the chassis(for example, see elements 52, 42, Figs 1-12).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a snap fit mount as taught by Megason in the assembly as taught by Downs for the purpose of providing a tool-less mounting arrangement(see Megason, column 1, line 5 – column 8, line 35)

Allowable Subject Matter

Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


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